

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

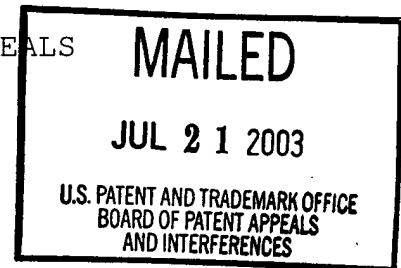
Paper No.30

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RANDELL L. MILLS

Application No. 09/220,970



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 26, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Paper No. 13, Appeal Brief with Request for Oral Hearing, dated February 9, 2001 and Paper No. 15, Corrected Appeal Brief dated April 3, 2001 (Paper No. 15), cannot be found in the

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administrative file. A copy of these papers are required for completion of the administrative file.

A facsimile was filed on May 11, 2001 (no paper number). There is no indication that the examiner has considered the facsimile dated May 11, 2001. This communication has not been assigned a paper number and entered into the "Contents" portion of the administrative file, nor is there any indication that the examiner has considered the paper entitled "RESPONSE TO PAPER NO. 15."

Lastly, only one copy of the following papers were provided:

Appeal Brief (Paper No. 23) dated

February 27, 2002; and

Supplemental Appeal Brief (paper No. 25)

dated April 3, 2001.

Three copies are required. See 37 CFR § 1.192.

Accordingly, it is

ORDERED that the application is returned to the examiner to

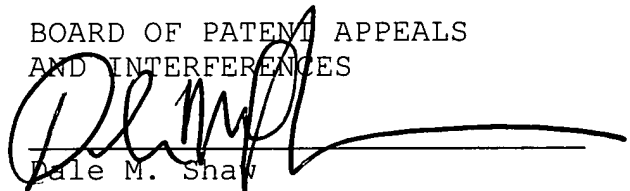
- provide and secure complete copies of the Request for Oral Hearing (Paper No. 13) and the Corrected Appeal Brief (Paper No. 15);

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- consider the facsimile dated May 11, 2001, assign a paper number and enter into the "Contents" portion of the administrative file;
- provide three copies as required under 37 CFR § 1.192 of the Appeal Brief (Paper No. 23), and the Supplemental Appeal Brief (Paper No. 25); and
- for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES


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Application No. 09/220,970

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